

Report

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARVIN GARCIA,
on behalf of himself and all
others similarly situated,

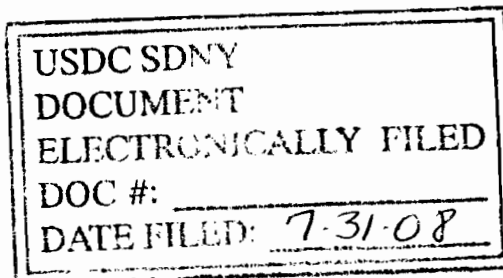
Civ. No. 08-4551 (JSR) (HP)

Plaintiff,

-against-

LENDING TREE, LLC,

Defendant.



NOTICE OF RULE 41(a)(1) DISMISSAL

PLEASE TAKE NOTICE that, pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, the plaintiff, MARVIN GARCIA, discontinues the above-entitled action and dismisses the complaint without prejudice.

Dated: July 28, 2008
White Plains, New York

MEISELMAN, DENLEA, PACKMAN,
CARTON & EBERZ P.C.

By:

A handwritten signature in black ink, appearing to be "Jerome Noll".

Jerome Noll (JN7542)
1311 Mamaroneck Avenue
White Plains, New York 10605
(914) 517-5000

Attorneys for Plaintiff

TO: Danielle J. Marlow, Esq.
REED SMITH LLP
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Attorneys for Defendant

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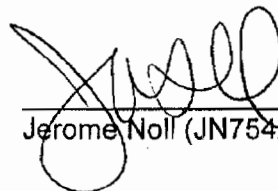
A handwritten signature in black ink, appearing to be "JD Marlow". Below the signature is the date "7-30-08".

CERTIFICATE OF SERVICE

I certify that on July 28, 2008, I caused to be served a true copy of Plaintiff's Rule 41(a) Notice of Dismissal to Defendant via e-mail and U.S. Mail upon the following counsel of record:

Danielle J. Marlow, Esq.
REED SMITH LLP
599 Lexington Avenue
New York, New York 10022

By:



Jerome Noll (JN7542)